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January 23, 2024

VIA UPS & E-MAIL

Ms. Lori Taglairino
Board of Adjustment Secretary
Township of Harding
21 Blue Mill Road
New Vernon, NJ 07976

Re: **15 Village Road LLC (“Applicant”)**
Preliminary and Final Site Plan and Variance Application
Block 18, Lot 5, 15 Village Road, Harding Township (“Property”)

Dear Ms. Taglairino:

This firm represents Applicant in connection with its application for preliminary and final site plan, “D(5)” variance and “C” variance relief in connection with the proposed development of the Property. The Property is currently split zoned – R-3 Residential and B-1 Business. The Applicant is proposing three residential units on the portion of the Property that is in the R-3 Zone (one building containing two units and one building containing one unit) and one residential unit on the portion of the Property located in the B-1 Zone, which also contains an existing commercial office building.

In support of this application, enclosed please find the following:

1. Original and two (2) copies of the Application Packet, including Proposal;
2. Three (3) copies of the Zoning Tables;
3. Three (3) copies of the Zoning Denial Letter issued by the Zoning Officer;
4. Three (3) copies of the Harding township Department of Health Review dated December 27, 2023;

Township of Harding

January 23, 2024

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5. Three (3) sets of a Limited Environmental Impact Statement prepared by Environmental Technology, Inc. dated January 4, 2024;
6. Three (3) sets of variance plans prepared by Yannaccone, Villa & Aldrich, LLC;
7. Three (3) sets of architectural plans prepared by William Byrne Architecture; and
8. Check in the amount of \$15,925.00 in payment of the application fee;
 - a. Site plan:
 - i. Preliminary (residential): $\$10,080 + \$504 \text{ per unit } (4) = \$10,080 + \$2,016 = \$12,096$
 - ii. Final: no fee if filed at the same time as preliminary
 - b. Use variance: \$1,740
 - c. "C" variance: $\$649 + \$120 \text{ for additional variances } (13 \text{ total "c" variances} - \text{each structure requiring a variance counts per Harding's calculation, i.e., setback for the patio, AC units, steps, etc.}) = \$2,089$
9. Check in the amount of \$15,000.00 in payment of the escrow deposit; and
 - a. Site plan:
 - i. Preliminary: \$7,500
 - ii. Final: no fee if filed at the same time as preliminary
 - b. Use variance: \$5,000
 - c. "C" variance: \$2,500
10. Applicant's W-9.

If you have any questions regarding this application, please do not hesitate to contact me.

Very truly yours,



Nicole M. Magdziak

Enclosures

PROPOSAL

15 Village Road, LLC (the “Applicant”) is seeking preliminary and final site plan, “D(5)” variance and “C” variance relief to construct four residential units contained within three new residential buildings on property located at 15 Village Road and designated as Block 18, Lot 5 on the official tax map of the Township of Harding (the “Property”). The Property is approximately 1.255 acres and is located in the R-3 Residential and B-1 Historic Village Business Zones (the Property is split-zoned) and the New Vernon Redevelopment Area. The R-3 Residential portion of the Property fronts on Millbrook Road. The B-1 Historic Village Business Zone fronts on Village Road. Because the Property fronts on two roads, by Township Ordinance, it does not have “side” yards; all yards are either “front” or “rear” yards.

The Property currently contains a two-story farmhouse-style building containing approximately 1,751 square feet containing commercial offices. This building was recently renovated in 2022 and will remain as part of the proposed development. The Property also contains a detached garage, which is proposed to be removed.

The Applicant is proposing to construct four residential dwelling units to be contained in a total of three new buildings – one of those buildings will contain two units. The Applicant is also proposing to construct, driveways, walkways, patios and to install landscaping and other related site improvements to support the proposed development.

The Applicant is seeking the following variance relief:

1. A “D(5)” variance to permit three (3) residential units on the portion of the Property within the R-3 Zone, where single family dwelling or two unit townhouse units are permitted.
2. The following rear yard setback “C” variances from the R-3 Zone standards, which require a rear yard setback of 46.66 feet based on 25% of the lot depth:
 - a. To permit the Unit 2 building to be located 13.5 feet from the lot line.
 - b. To permit the patio for Unit 2 to be located 21.5 feet from the lot line.
 - c. To permit the generator for Unit 2 to be located 15.7 feet from the lot line.
 - d. To permit the AC units for Unit 2 to be located 20.2 feet from the lot line.
 - e. To permit the Unit 3 and 4 building to be located 16.1 feet from the lot line.
 - f. To permit the decks for Unit 3 and 4 to be located 10.2 feet and 37.5 feet from the lot line.
 - g. To permit the generators for Unit 3 and 4 to be located 15.7 and 27.1 feet from the lot line.
 - h. To permit the AC unit for Unit 3 and 4 to be located 20.0 feet and 30.4 feet from the lot line.
3. The following rear yard setback “C” variances from the B-1 Zone standards, which require a rear yard setback of 15.7 feet based on 10% of the lot depth:
 - a. To permit the Unit 1 building to be located 10.3 feet from the lot line.
 - b. To permit the patio for Unit 1 to be located 10.2 feet from the lot line.
4. A “C” variance to permit the proposed decks, patios and steps to be closer to the road right of way than the front façade of the buildings.
5. To permit a septic system, an accessory use, located in the R-3 Zone to serve portions of the project in the B-1 Zone.



**TOWNSHIP OF HARDING
LAND USE APPLICATION**

21 Blue Mill Road, P.O. Box 666
New Vernon, New Jersey 07976
(973) 267-8000 Ext. 723

Appendix 1A

APPLICANT 15 Village Road, LLC

BLOCK: 18 **LOT:** 5

APPLICATION FOR DEVELOPMENT

☐ Planning Board

Date of First Submission: _____

☒ Board of Adjustment

Adequate Application Date: _____

Application Number: _____

Completeness Date: _____

1. NATURE OF THE APPLICATION (Check all applicable items)

☐ Conceptual subdivision plan

☐ Amendment to approved site plan

☐ Minor subdivision

☐ Conditional use

☐ Lot line adjustment

☐ Variance, residential, fence, patio or deck

☐ Major subdivision, preliminary

☒ Variance, other residential

☐ Major subdivision, final

☒ Use or other (d) variance

☐ Amendment to approved plat

☒ Variance, other non-residential

☐ Conceptual site plan

☐ Appeal from administrative decision

☒ Site plan approval, preliminary

☐ Interpretation of zoning ordinance

☒ Site plan approval, final

☐ Special flood hazard development permit

☐ Other _____

2. PROPERTY INFORMATION

Property location: 15 Village Road

Block: 18 Lot: 5 Zone: R-3/B-1 (Split Zone)

Existing use: Commercial office

Proposed use: mixed use - commercial office and multi-family residential (3 buildings, 4 units)

Has there been any previous application involving these premises by the applicant or any other prior owner of the property? ☐ Yes ☐ No ☒ Unknown If yes, nature of application, date and determination: _____
OPRA Request Submitted/Pending

Does the applicant own adjacent property? ☐ Yes ☒ No If yes, address of adjacent property: _____

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:
☐ Yes [attach copies] ☒ No ☐ Proposed

Is the property included within a Historic District as shown in the Harding Township Master Plan? ☒ Yes ☐ No
If yes, which district? NV
If yes, please fill out BOA Appendix 1L and make arrangements with the Historic Preservation Commission.

Were any buildings on the property constructed prior to 1915? ☐ Yes ☒ No
If the property is located in the RR, R-1 or R-2 Zone, were any accessory buildings constructed prior to 1945?
☐ Yes ☐ No If yes, please fill out BOA Appendix 1L and make arrangements with the Historic Preservation Commission.

3. APPLICANT INFORMATION

Name of Applicant: 15 Village Road, LLC

Mailing Address: 1625 Route 10 E

City/State/Zip/: Morris Plains, NJ 07950

Phone #: 973-490-8206

Email: c/o attorney nmagdziak@daypitney.com

Applicant's Interest in the Property: Owner

Applicant is a(n): ☐ Individual ☐ Partnership ☐ Corporation

LLC

4. CONTACT FOR APPLICANT

Name: Nicole M. Magdziak, Esq.; Day Pitney, LLP

Address: One Jefferson Road

City/State/Zip: Parsippany, NJ 07054

Phone #: 973-966-8027

Email: nmagdziak@daypitney.com

5. APPLICANT OWNER DISCLOSURE (if applicable)

Pursuant to N.J.S.A. 40:55D-48.1, the names and addresses of all persons or entities possessing a 10% or greater interest in an applicant that is a corporation, partnership or other entity must be disclosed. In accordance with N.J.S.A. 40:55D-48.2 this disclosure requirement applies to all person or entities possessing a 10% or greater interest in any such entity followed up in the chain of ownership until the names and addresses of all persons or entities possessing a 10% or greater interest have been disclosed. (Attach pages as necessary to comply).

Name: See Attached	Address: _____	Interest: _____
Name: _____	Address: _____	Interest: _____
Name: _____	Address: _____	Interest: _____
Name: _____	Address: _____	Interest: _____

6. APPLICANT'S ATTORNEY (Entities must be represented by an attorney)

Name: Nicole M. Magdziak, Esq.; Day Pitney, LLP

Address: One Jefferson Road, Parsippany, NJ 07054

Phone #: 973-966-8027

Email: nmagdziak@daypitney.com

7. APPLICANT'S ENGINEER

Name: Ryan Smith, Yannaccone, Villa & Aldrich, LLC

Address: 460 Main Street, Chester, NJ

Phone #: 908-879-6646 x 17

Email: r.smith@yvalc.com

8. APPLICANT'S PLANNER

Name: John J. McDonough

Address: 101 Gibraltar Drive, Suite 1A, Morris Plains, NJ 07950

Phone #: 973-222-6011

Email: jmcdonoughpp@gmail.com

9. APPLICANT'S ARCHITECT

Name: William Byrne, Byrnes Design Associates, Inc.

Address: 10 Main Street, Chester, NJ 07930

Phone #: 908-879-0996

Email: williambyrneia@aol.com

10. BRIEF DESCRIPTION OF PROJECT:

Indicate type of improvement, alteration, structure, or use proposed and describes all structures, improvements, and uses now on the property. For any non-residential, business, or commercial use provides hours of operation, number of employees, number of parking spaces, and other information important for consideration: See attached Proposal.

11. REQUESTED ZONING VARIANCES:

Identify each deviation and the Township Code section and variance requested and state principal points on which the variance request is made. Use a separate sheet if necessary. Attach any letter or document from the Zoning Officer or any other Township representative which has been issued to you regarding this proposal.

See attached Proposal.

12. LIST ANY OTHER LICENSES, PERMITS OR OTHER APPROVALS REQUIRED BY MUNICIPAL, COUNTY, STATE OR FEDERAL LAW AND THE STATUS OF EACH.

County Planning Board, County SCD

13. APPLICANT CERTIFICATION

I hereby affirm that all of the statements above and contained in the papers submitted herewith are true.

Signature of the Applicant: Nicole Magdziak
Attorney for Applicant

Date: 1/23/2024

14. OWNER INFORMATION (If not the Applicant)

Name: N/A - applicant is the owner

Address: _____

Phone #: _____ Email: _____

15. OWNER'S CONSENT TO APPLICATION

I certify that I am the owner of the property that is the subject of this application, that I have authorized the applicant to make this application, and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

Owner N/A - applicant is the owner

Sworn to and subscribed before me this

_____ day of _____, 20____

Notary Public of the State of New Jersey

PERMISSION BY OWNER FOR ACCESS TO THE PROPERTY

The undersigned Owner, having made or consented to an application for development to the Harding Township Planning Board or Board of Adjustment, understands that Board members and others must have an opportunity upon reasonable advance notice to go onto the property and examine the same in order to be able to fully understand and evaluate the application.

We therefore grant permission to members of the Board and others to go onto our property during daylight hours upon reasonable advance notice to make a thorough examination of the same for the purpose of more effectively deciding the application.

Date: 1/23/24

Owner: Nicole Magdziak

Date: _____

Owner: Nicole Magdziak, Attorney for Applicant/Owner

CORPORATE OWNERSHIP DISCLOSURE STATEMENT

In accordance with N.J.S.A. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in 15 Village Road LLC are disclosed as set forth below. In accordance with N.J.S.A. 40:55D-48.2 this disclosure requirement applies to any corporation or partnership which owns more than 10% interest in 15 Village Road LLC followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed.

James M. Weichert (100%)
1625 Route 10 E, Morris Plains, NJ



**TOWNSHIP OF HARDING
BOARD OF ADJUSTMENT
ZONING REQUIREMENTS**

21 Blue Mill Road, P.O. Box 666
New Vernon, New Jersey 07976
(973) 267-8000 Ext 723

Appendix 1E

If multiple districts apply to the property or if more space is needed, please attach additional copies of this table to your application.

IMPORTANT NOTICE: All figures inserted in this table must be based on and consistent with site plans and any architectural plans, which also must be consistent with each other.

Block: 18	Lot: 5	Address: 15 Village Road		Date: 1/23/2024	
Zoning Requirement or Limitation	Requirement or Limitation	Existing	Proposed	Check off if VARIANCE Requested	
Lot size (measured to right of way line)				<input type="checkbox"/>	
Lot frontage or lot width				<input type="checkbox"/>	
Principal Structure					
Front yard setback				<input type="checkbox"/>	
Side yard (1) setback				<input type="checkbox"/>	
Side yard (2) setback				<input type="checkbox"/>	
Rear yard setback				<input type="checkbox"/>	
Maximum height				<input type="checkbox"/>	
Accessory Structure(s)					
Front yard setback				<input type="checkbox"/>	
Side yard (1) setback				<input type="checkbox"/>	
Side yard (2) setback				<input type="checkbox"/>	
Rear yard setback				<input type="checkbox"/>	
Maximum height				<input type="checkbox"/>	
Maximum building area ratio or floor area ratio (FAR applies in B-1, B-2 and OB zones), as applicable (list all buildings and existing and proposed square footage (SF) for any additions or new structures)					
1. Residence (or other main structure)		SF	SF		
2. Barn/garage		SF	SF		
3.		SF	SF		
4.		SF	SF		
5.		SF	SF		
6.		SF	SF		
Total building area (if applicable)	SF	SF	SF	<input type="checkbox"/>	
Maximum building area ratio or FAR (as applicable)	%	%	%	<input type="checkbox"/>	
Maximum lot coverage, if applicable (list all impervious surfaces such as pools, patios, walkways, driveways, recreation courts, etc.) Maximum lot coverage excludes R-2, R-3 and R-4 zones.					
1. Total building area (insert SF from above)		SF	SF		
2. Driveway		SF	SF		
3. Patio		SF	SF		
4. Walks		SF	SF		
5.		SF	SF		
6.		SF	SF		
7.		SF	SF		
8.		SF	SF		
Total lot coverage	%	%	%	<input type="checkbox"/>	
<input type="checkbox"/> Other (specify below or add additional sheet)					
				<input type="checkbox"/>	
				<input type="checkbox"/>	

FOR PORTION OF PROPERTY LOCATED IN THE B-1 ZONE – HISTORIC VILLAGE BUSINESS ZONE (5)

ORDINANCE ITEM	REQUIRED/ALLOWED	PROPOSED/EXISTING
MIN. LOT AREA	9,000 SQ. FT.	17,894 SF (1) 48,644 SF (2)
MIN. FRONT YARD	20 FT.	10.4 FT. (3)
MIN. LOT WIDTH	65 FT.	115.3 FT.
MIN. SIDE YARD	6 FT.	N.A., NO SIDEYARDS PRESENT
MIN. SIDE YARD COMBINED	23.06 FT. 20% OF LOT WIDTH	N.A., NO SIDEYARDS PRESENT
MIN. REAR YARD	15 FT. OR MIN. OF 10% OF LOT DEPTH, WHICHEVER IS GREATER 157.14 FT.(.10)=15.7 FT. (8)	4.7 FT. (TO EXIST. BLDG.) (3) UNIT#1-BLDG.-10.2 FT.(9) UNIT#1-PATIO -10.3 FT.(9)
MIN. LOT FRONTAGE	65 FT.	118.4 FT. (AT R.O.W. LINE)
MAX. FLOOR AREA	20%/3,579 SF(1),(4)	19.5 %/3,485 SF(6)
MAX. BUILDING AREA (7)	15%/2,684 SF(1)	9.3% (1,673 SQ. FT.)(EXISTING) 12.3% (2,193 SQ. FT.)(WITH NEW BLDG. & WITHOUT DETACHED GARAGE)
MAX. LOT COVERAGE	50%/8,947 SF(1)	38.2% (6,831 SQ. FT.)(EXISTING) 49.1% (8,778 SQ. FT.)
MAX. BUILDING HEIGHT	35 FT.	<35 FT.
USE	MIXED(OFFICE/RESIDENTIAL)	MIXED(OFFICE/RESIDENTIAL)
ACCESSORY USE	SEPTIC WITHIN B-1 ZONE AREA	SEPTIC WITHIN R-3 ZONE AREA (9)

(1) AREA WITHIN B-1 ZONE

(2) OVERALL LOT AREA (WITHIN B-1 AND R-3 ZONES)

(3) EXISTING, NON-CONFORMING CONDITION.

(4) 20% IS ACCEPTABLE BECAUSE THE PROPERTY IS IN THE NEW VERNON HISTORIC DISTRICT, THE EXISTING STRUCTURE IS BEING RETAINED AND IS A CONTRIBUTING STRUCTURE TO THE HISTORIC CHARACTER OF THE DISTRICT.

(5) THE VALUES PROVIDED UNDER PROPOSED/EXISTING CONDITIONS ARE FOR THE PORTION OF THE PROPERTY WITHIN THE B-1 ZONE ONLY. SEE ZONING TABLE AT RIGHT FOR PORTION OF PROJECT IN THE R-3 ZONE.

(6) FLOOR AREA VALUE FOR OFFICE BUILDING IS 1,751 SQ. FT AND WAS PROVIDED BY BYRNE DESIGN ASSOCIATES. NOT INCLUDED IN THE EXISTING FLOOR AREA IS THE OPEN FRONT PORCH (245 SQ. FT.).

FLOOR AREA VALUE FOR THE PROPOSED RESIDENCE IS 1,734 SQ. FT AND WAS PROVIDED BY BYRNE DESIGN ASSOCIATES. THIS VALUE INCLUDES 170 SQ. FT. OF ATTIC SPACE.

(7) PROPOSED BUILDING AREA EXCLUDES THE COVERED FRONT PORCH FOR THE PROPOSED RESIDENCE. THE FRONT PORCH FOR THE RESIDENCE IS OPEN AND EXTENDS NO MORE THAN 4 FT. FROM THE STRUCTURE.

(8) LOT DEPTH VALUE OF 157.14 FT. SHOWN HAS BEEN MEASURED FROM THE MIDPOINT OF ROAD RIGHT OF WAY ALONG VILLAGE ROAD TO THE MIDPOINT OF LOT AT THE B-1/R-3 ZONE BOUNDARY.

(9) PROPOSED VARIANCE CONDITION

**FOR PORTION OF PROPERTY LOCATED IN THE B-1 ZONE
HISTORIC VILLAGE BUSINESS ZONE**

EXISTING LOT COVERAGE	
	AREA (SQ. FT.)
OFFICE BUILDING	1,051
PORCH	250
DETACHED GARAGE	372
DRIVEWAY/PARKING LOT	4,999
WALKS/STAIRS/STOOPS	126
PADS	33
TOTAL (SQ. FT.)	6,831

EXISTING BUILDING COVERAGE	
	AREA (SQ. FT.)
OFFICE BUILDING	1,051
PORCH	250
DETACHED GARAGE	372
TOTAL (SQ. FT.)	1,673

EXISTING LOT COVERAGE TO BE REMOVED	
	AREA (SQ. FT.)
PORTIONS OF WALKS/DRIVEWAY	1,405
DETACHED GARAGE	372
TOTAL (SQ. FT.)	1,777

PROPOSED LOT COVERAGE TO BE ADDED (1)	
	AREA (SQ. FT.)
RESIDENTIAL BUILDING	988 (1)
PORTIONS OF NEW DRIVEWAY AREA	2,351
PORTIONS OF WALKS/PATIO	245
AC/GENERATOR/TRASH PADS	160
TOTAL (SQ. FT.)	3,744 (1)

(1) PROPOSED LOT COVERAGE AREA INCLUDES THE COVERED FRONT ENTRY OF THE PROPOSED RESIDENCE.

PROPOSED BUILDING COVERAGE (2)	
	AREA (SQ. FT.)
OFFICE BUILDING	1,051
PORCH	250
RESIDENTIAL BUILDING #1	892 (2)
TOTAL (SQ. FT.)	2,193 (2)

(2) PROPOSED BUILDING AREA EXCLUDES THE COVERED FRONT ENTRY OF THE PROPOSED RESIDENCE. THE FRONT ENTRY IS OPEN AND EXTENDS NO MORE THAN 4 FT. FROM THE STRUCTURE.

FOR PORTION OF PROPERTY LOCATED IN THE R-3 ZONE – RESIDENTIAL

ORDINANCE ITEM	REQUIRED/ALLOWED	PROPOSED
MIN. LOT AREA	15,000 SQ. FT.	30,750 SF (1) 48,644 SF (1)
MIN. FRONT YARD	35 FT.	77.3 FT.(UNIT #2)/ 91.8 FT. (UNIT#3/4) (2) 69.5 FT.(DECK-UNIT #2), 89.5 FT.(PATIO-UNIT #3/4) (10) 81.1 FT.(STEPS-UNIT #3/#4), STEPS (10)
MIN. LOT WIDTH	85 FT.	166.4 FT. (3)
MIN. SIDE YARD	10 FT.	N.A., NO SIDEYARDS PRESENT
MIN. SIDE YARD COMBINED	20% OF LOT WIDTH .2(166.4 FT.) = 33.28 FT.	N.A., NO SIDEYARDS PRESENT
MIN. REAR YARD	25 FT. OR MIN. OF 25% OF LOT DEPTH, WHICHEVER IS GREATER .25(186.65 FT) = 46.66 FT. (6)	UNIT#2-BLDG.-13.5 FT.(9) UNIT#3,4-BLDG.-16.1 FT (9) UNIT#2-PATIO -21.5 FT.(9) UNIT#3,4-DECK-10.2 FT, 37.5 FT(9) UNIT#2-GEN.-15.7 FT.(9) UNIT#3,4-GENS-15.7 FT, 27.1 FT (9) UNIT#2-AC-20.2 FT.(9) UNIT#3,4-ACS-20.0 FT, 30.4 FT (9)
MIN. LOT FRONTAGE	85 FT.	187.34 FT. (AT MILLBROOK R.O.W. LINE)
MIN. FLOOR AREA	750 SF AT FIRST FLOOR EXCLUSIVE OF PORCHES/GARAGES	750 SF. MINIMUM(AT FIRST FLOOR) SEE ARCHITECT'S PLAN FOR ADDITIONAL DETAIL
MAX. BUILDING AREA (8)	2,500 SF (7) (8)	2,488 SF (8)
MAX. LOT COVERAGE	N/A	N/A
MAX. BUILDING HEIGHT	35 FT.	<35 FT.
USE	SINGLE FAMILY	1 FAMILY/2 TOWNHOUSES; 3 UNITS PROPOSED (9)

- (1) AREA WITHIN R-3 ZONE = 30,750 SF, OVERALL LOT AREA = 48,644 SF
- (2) FRONT YARD IS INTERPRETED AS BEING MEASURED FROM MILLBROOK ROAD. VALUES PROVIDED ARE TO THE CLOSEST PORTIONS OF THE TWO RESIDENTIAL STRUCTURES (UNITS #2 & #3/#4) TO MILLBROOK ROAD. SEE PLAN VIEW FOR SPECIFIC DIMENSIONS TO EACH RESPECTIVE COMPONENT OF DWELLING AND NEARBY UTILITY PADS.
- (3) LOT WIDTH WAS MEASURED FACING MILLBROOK ROAD
- (4) FIRST VALUE PROVIDED IS THE DIMENSION FROM THE MOST NORTHERLY STRUCTURE TO ITS CLOSET SIDELINE(16.1 FT.)
SECOND VALUE PROVIDED IS THE DIMENSION FROM THE MOST SOUTHERLY STRUCTURE TO ITS CLOSET SIDELINE(13.5 FT.)
NOTE: DECK ON MOST NORTHERLY RESIDENCE IS SHOWN AS 10.2 FT FROM THE SIDELINE.
- (5) FIRST VALUE PROVIDED IS THE DIMENSION OF THE MOST NORTHERLY STRUCTURE TO ITS COMBINED SIDELINES.
SECOND VALUE PROVIDED IS THE DIMENSION OF THE MOST SOUTHERLY STRUCTURE TO ITS COMBINED SIDELINES.
- (6) LOT DEPTH VALUE OF 186.65 FT. SHOWN HAS BEEN MEASURED FROM THE MIDPOINT OF ROAD RIGHT OF WAY ALONG MILLBROOK ROAD TO THE CLOSEST PROPERTY CORNER ALONG THE BOUNDARY LABELED "N 35 56 00", 60.00 FT.
- (7) BUILDING AREA IS BASED ON THE LESSER OF 6 PERCENT OF OVERALL LOT AREA (WITHIN BOTH B-1 AND R-3 ZONES) AND A SQUARE FOOTAGE OF 2,500 SQUARE FEET FOR A LOT THAT HAS AN AREA BETWEEN 37,501 SF & 87,120 SF. WITH THE CURRENT CONCEPT THE 2,500 SF VALUE CONTROLS SINCE .6(48,644 SF) = 2,918.6 SF.
- (8) PROPOSED BUILDING AREA EXCLUDES THE COVERED FRONT PORCHES OF THE PROPOSED RESIDENCES. THE FRONT PORCHES ARE OPEN AND EXTEND NO MORE THAN 4 FT. FROM THE STRUCTURES.
- (9) PROPOSED VARIANCE CONDITION
- (10) PROPOSED VARIANCE CONDITION, PROPOSED DECK/PATIO/STEPS CLOSER TO ROAD RIGHT OF WAY THAN FRONT FACADE OF BLDG.

FOR PORTION OF PROPERTY LOCATED IN THE R-3 ZONE
RESIDENTIAL

PROPOSED LOT COVERAGE TO BE ADDED (3)	
	AREA (SQ. FT.)
RESIDENTIAL BUILDINGS #2 & #3/#4	2,709(3)
PORTIONS OF DRIVEWAY/CUL-DE-SAC AREA	3,128
WALKS/PATIOS/DECKS	582
AC/GENERATOR PADS	96
TOTAL (SQ. FT.)	6,515 (3)

PROPOSED BUILDING COVERAGE (4)	
	AREA (SQ. FT.)
RESIDENTIAL BUILDINGS #2 & #3/#4	2,488 (4)

(4) PROPOSED BUILDING AREA EXCLUDES THE COVERED FRONT ENTRY OF THE PROPOSED RESIDENCES. THE FRONT ENTRY IS OPEN AND EXTENDS NO MORE THAN 4 FT. FROM THE STRUCTURE.

(3) PROPOSED LOT COVERAGE AREA INCLUDES THE COVERED FRONT ENTRY OF THE PROPOSED RESIDENCES

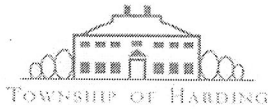


TOWNSHIP OF HARDING BOARD OF ADJUSTMENT VARIANCE CHECKLIST

21 Blue Mill Road, P.O. Box 666
New Vernon, New Jersey 07976
(973) 267-8000 Ext. 723

This checklist is required for all applications to the Board of Adjustment for a variance pursuant to NJSA 40:55D-70 (c) or (d). This checklist is also required for any other type of application to the Board of Adjustment other than for subdivision or site plan approval (for which Checklist A is also required), including appeals from decisions of the Zoning or Tree Conservation Officer, requests for interpretation of a zoning ordinance or requests pursuant to NJSA 40:55D-34 through 36. All plats or plans shall be prepared, signed and sealed by a NJ licensed land surveyor, engineer, professional planner, registered architect, or registered landscape architect, subject to the restrictions of such license or registration.

SUBMISSION REQUIREMENTS	Submitted (check off)	N/A	Waiver Requested
A. DOCUMENTS TO BE SUBMITTED			
1. <u>Application Form</u> : 16 copies of the fully completed application form/n notice of appeal along with 16 copies of this checklist.	X		
2. <u>Application and Technical Review Fees</u> : Application and technical review fees in accordance with Chapter 171 of the Harding Township Code.	X		
3. <u>Applicant Ownership List</u> : If the applicant is a corporation or partnership, a list of the names and addresses of all stockholders or individual partners owning at least 10% of any class of its stock or at least 10% of the partnership interest.	X		
4. <u>Board of Health Approval</u> : 16 copies of the written approval of the Township Board of Health of the adequacy of any existing individual sewage disposal system or of plans for sewage disposal, or its acceptance of soil log and percolation test data indicating suitability for an individual sewage disposal system(s).	X		
5. <u>Surrounding Owners List</u> : A list, certified by the Township Tax Assessor, of the names and address of all property owners, municipalities (other than the township), counties (other than Morris County), and township-registered cable television and utility companies within 200' of the property.	X		
6. <u>Tax Certification</u> : A certification from the Tax Collector that all property taxes and assessments currently due have been paid, or provision for payment of such taxes and assessments.	X		
B. PLANS TO BE SUBMITTED			
1. Submit 16 copies of any available architectural drawings, sketches or other materials showing elevations of the proposed building or structure and/or improvements, and floor plans, if applicable, including all building dimensions, building height, and scale of the map.	X		
2. Submit 16 copies of a survey or plan based on a survey identifying the proposed project for which relief is sought, containing the following items:	X		
a. On each plan sheet, the title block containing the name of the property owner, existing lot and block numbers, the name, address and telephone number of the plan preparer, the date prepared, the date and purpose of the last revision.	X		
b. The scale of the map, both written and graphic.	x		
c. North arrow, giving the reference meridian on all plans.	x		
d. The names, addresses and telephone numbers of all applicants and owners.	x		
e. A list of the names and address of all property owners within 200' of the property.	x		
f. The zone district and zone boundaries of the subject property and adjoining property.	x		
g. The location and use of all existing and proposed buildings and structures and any proposed additions, fences, walls, walkways, driveways, parking areas, and other improvements on the site, indicating setbacks from all lot and road lines. Indicate any buildings, structures or other improvements that are proposed to be removed or relocated as part of the application.	X		
h. All lot dimensions and lot area, the location of all setback lines and adjoining public and private roads, including the location of road right-of-way lines and edge of pavement.	X		
i. The location of all existing subsurface wastewater disposal systems, stormwater and potable water lines and wells, and setbacks required by the Board of Health.	X		
j. If the property is proposed to be served by a new or expanded individual sewage disposal system, show the location of the disposal area(s) and all setbacks required by the Board of Health.	X		
k. The location of the Tree Conservation Area along all perimeter lot lines of lots located in the RR, R-1, R-2, R-3 and R-4 Zones.	X		
l. The location of any existing/proposed landscaped areas or bridle trails.	x		
m. A statement as to any existing protective covenants, deed restrictions, easements and rights-of-way affecting the use of the property.	X		



**TOWNSHIP OF HARDING
PLANNING BOARD/BOARD OF ADJUSTMENT
TECHNICAL REVIEW ESCROW AGREEMENT**

21 Blue Mill Road, P.O. Box 666
New Vernon, New Jersey 07976
(973) 267-8000 Ext. 723

BOA Appendix 1H

This agreement made and entered on this 23 day of January, 2024 by and between the Township of Harding and 15 Village Road, LLC, is made upon the following terms and conditions:

Project Name: 15 Village Road - Mixed-use - New residential

Project Location: 15 Village Road - Mixed-use - New residential

Block: 18 Lot (s): 5

Applicant Name: 15 Village Road, LLC

Applicant Mailing Address: 1625 Route 10 E, Morris Plains, NJ 07950

I understand that the sum of \$ 15,000 has been deposited in an escrow account in the applicant's name. In accordance with Ordinance 171-23 of the Harding Township Code, I further understand that the escrow is established to cover the cost of certain professional services including engineering, planning and legal and other expenses associated with the review of submitted development application materials and review and preparation of documents. Sums which not utilized for these purposes shall be returned upon request to the individual or business from which checks were submitted upon issuance of a certificate of occupancy or withdrawal, abandonment, denial or other termination of the application. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fourteen (14) days. If additional funds are not received I understand that no further action will be taken on my development application until the escrow account has been replenished.

1/23/2024

Date

Nicole Magdziak

Signature of Applicant or Attorney

Nicole Magdziak, Attorney for Applicant/Owner

Print Name



TOWNSHIP OF HARDING PLANNING BOARD SUBDIVISION AND SITE PLAN CHECKLIST

21 Blue Mill Road, P.O. Box 666
New Vernon, New Jersey 07976
(973) 267-8000 Ext. 723

This checklist applies to all applications for subdivision and site plan approval EXCEPT:

1. Applications to the Board of Adjustment for variances **not** involving a subdivision or site plan; appeals of decisions of the Zoning Officer; and requests for interpretation or for the direction of issuance of building permits (use Checklist B).
2. Applications to the Planning Board involving only an application for a special flood hazard development permit (use Checklist C).

Check off each item submitted and any waivers requested in connection with checklist requirements. In the case of an application for final site plan approval, the applicant shall submit all items required for preliminary site plan approval in final form.

SUBMISSION REQUIREMENTS	Minor Subd.	Minor Site Plan	Prel. Major Subd.	Prel. Site Plan	Final Major Subd.	Final Site Plan	Submitted	Waiver Request
• A "dot" in the column to the right of each item indicates •								
A. DOCUMENT SUBMISSION								
1. <u>Application Forms</u> : 20 completed copies of all required application form(s) and checklist(s). Indicate "n/a" for any item that is not applicable. If a subdivision or site plan application involves a variance, the applicant shall also file an <i>application form</i> for a variance.	•	•	•	•	•	•	✓	
2. <u>Application and Technical Review Fees</u> : Application and technical review fees in accordance with Chapter 171 of the Harding Township Code.	•	•	•	•	•	•	✓	
3. <u>Board of Health Approval</u> : 20 copies of the written approval by the Township Board of Health of the adequacy of any existing individual sewage disposal system or of plans for sewage disposal, or its acceptance of soil log and percolation test data indicating suitability for an individual sewage disposal system(s).	•	•	•	•	•	•	✓	
4. <u>NJDEP Letter of Interpretation (LOI)</u> : If wetlands are present or one or more wetland indicators are present (pursuant to NJAC 7:7A-1 et seq.) on the site, submit 20 copies of the Letter of Interpretation from the NJDEP indicating the presence or absence, approved delineation, classification and transition area of such wetlands.	•	•	•	•			N/A	
5. <u>Morris County Planning Board</u> : A fully completed application to the Morris County Planning Board.	•	•	•	•	•	•	✓	
6. <u>Applicant Ownership List</u> : If the applicant is a corporation or partnership, a list of the names and addresses of all stockholders or individual partners owning at least 10% of any class of its stock or at least 10% of the partnership interest.	•	•	•	•	•	•	✓	
7. <u>Surrounding Owners List</u> : A list, certified by the Township Tax Assessor, of the names and address of all property owners, municipalities (other than the township), counties (other than Morris County), and township-registered cable television and utility companies within 200' of the property.	•	•	•	•	•	•	✓	
8. <u>Tax Certification</u> : A certification from the Tax Collector that all property taxes and assessments currently due have been paid, or provision for payment of such taxes and assessments.	•	•	•	•	•	•	✓	
9. <u>Environmental Impact Statement (EIS)</u> : 20 copies of the EIS in accordance with Article XII of Chapter 105 of the Harding Township Code.			•	•			✓	
10. <u>Stormwater Management Report and Computations</u> : Submit 20 copies of the stormwater management report and/or calculations (see items 45 and 46 in section B below).			•	•			MINOR DEVELOPMENT CALCULATIONS ON PLANS	
11. <u>Township Engineer's Certification of Improvements Completed</u> : If a subdivision and some or all improvements have been completed, submit 20 copies of a certification by the Township Engineer that all improvements that have been installed are in accordance with the approved preliminary plans.					•		N/A	

12. <u>Previous Applications</u> : If there has been a previous application to the Planning Board or Board of Adjustment involving the subject property within the last three years, submit 20 copies of an explanation as to the nature, date, and disposition of such application (please attach to application form).	•	•	•	•			?	
13. <u>Conservation Easements - Baseline Documentation</u> : Submit a report in accordance with this Chapter documenting the current condition of land encompassed within proposed easements including, but not limited to photographs, surveys of buildings, structures, vegetation, trails, and water bodies, and any proposed restrictions.	•	•	•	•			N/A	
14. <u>Soil Erosion and Sediment Control Plan Certification</u> : Submit 3 copies of application for projects that are subject to Article XVII (Soil Erosion and Sediment Control) of the Township Code.	•	•	•	•			✓	
15. <u>Aerial Photos</u> : 20 paper copies and one digital copy (on CD-ROM or other acceptable electronic storage media in a projectable format) of aerial photos of subject tract on a single 11" x 17" sheet with the following information added to the air photos: a. Existing Tract Boundaries b. Proposed Lot Boundaries and Building Setback Lines c. Proposed Lot Numbers d. Proposed roadways and shared driveways e. Existing wetlands and associated transition areas f. Existing waterways, water bodies, and associated riparian buffers g. Flood hazard areas, floodways, and stream encroachment lines	•	•	•	•			?	
16. <u>Digital Copies of Plans</u> : Two digital copies of the submitted plans on CD-ROM or other acceptable electronic storage media in Autocadd format. For applications requiring Morris County Planning Board approval, digital submittals shall be prepared according to standards used by the Morris County Planning Board as described in Appendix G, Digital Mapping Submission Standards of the Land Development Standards of the County of Morris, New Jersey, as may be modified or amended in the future.	•	•			•	•	TO BE SUPPLIED ON APPROVAL	

B. PLAN SUBMISSION

1. 20 paper copies and 2 digital copies of any required site plan, subdivision plat, map, survey, sketch or drawing which shall comply with and/or contain the following:	•	•	•	•	•	•	✓	
2. The plat or plan clearly and legibly drawn or reproduced on a sheet size either 15 x 21, 24 x 36 or 30 x 42 inches, showing the entire tract on 1 sheet, at a scale: • If a subdivision (minor or major), not smaller than 1"=100' • If a minor site plan, not smaller than 1" = 100' and not larger than 1" = 10' • If a major site plan, not smaller than 1"= 50' and not larger than 1" = 10' • Digital copies must be submitted on CD-ROM or other acceptable electronic storage media in Adobe format. Each plan sheet shall be a separate file, shall be digitized at a density of 300 dpi, and shall be suitable for posting on the Township website.	•	•	•	•	•	•	✓	
3. The plat or plan and other maps prepared, signed and sealed by a NJ licensed land surveyor, engineer, professional planner, registered architect, or registered landscape architect, subject to the restrictions of such license or registration.	•	•	•	•	•	•	✓	
4. On each plan sheet, the title block containing the name of the property owner or development name, if any, existing lot and block numbers, the name, address and telephone number of the plan preparer, the date prepared, the date and purpose of the last revision.	•	•	•	•	•	•	✓	
5. The scale of the map, both written and graphic.	•	•	•	•	•	•	✓	
6. North arrow giving the reference meridian on all plan views.	•	•	•	•	•	•	✓	
7. A space for the signatures of the Chairman and Secretary of the Board.	•	•	•	•	•	•	✓	

8. A space for the signature of the Township Engineer.		•		•	•	•	✓	
9. The names, addresses and telephone numbers of all applicants and owners.	•	•	•	•	•	•	✓	
10. A list of the names and address of all property owners, municipalities (other than the township), counties (other than Morris County), and all township-registered utility and cable television companies within 200' of the property.	•	•	•	•	•	•	✓	
11. A key map at a scale of not smaller than 1" = 1,000' showing location of the tract (with any proposed lot lines) in relation to the surrounding area within 2,000' including the location of all zoning district boundaries and historic districts designated in the Harding Township Master Plan and/or listed on the State and/or National Register.	•	•	•	•	•	•	✓	
12. Zone district and zone boundaries of the subject property and adjoining property and all zone requirements and limitations pertinent to the subject property, indicated on the plans both in tabular form and graphically. If existing structures are to remain, include the total square footage and the building area of each structure in the zoning data table.	•	•	•	•	•	•	✓	
13. Indicate whether the site is within (or partially within) a historic district designated in the Harding Township Master Plan, and whether the site, building(s), or district is listed on the State or National Historic Register.	•	•	•	•	•	•	✓	
14. The location, bearings and distances of all existing and proposed lot lines to the nearest hundredth of a foot.	•	•	•	•	•	•	✓	
15. The block and lot numbers of adjoining lots and, if a subdivision, proposed block and lot numbers approved by the Township Tax Assessor.	•	•	•	•	•	•	✓	
16. Lot frontage of each existing and proposed lot measured in feet, accurate to the nearest hundredth of a foot.	•	•	•	•	•	•	✓	
17. The total area, and the area of each existing and proposed lot, private road, or land in public right-of-way and any commonly owned contiguous property, in acres if 1 acre or over and in acres and square feet if under 1 acre, in each case accurate to nearest 0.0001 of an acre.	•	•	•	•	•	•	✓	
18. The location of all setback lines, the building envelope, and in the R-1 and RR Zone, a 100' by 100' square located within the building envelope displaying topographic elevations based upon a field survey at each corner of the square.	•	•	•	•	•	•	N/A	
19. The location on the property and the use of all existing and proposed buildings and structures or proposed additions thereto, with distances to the nearest existing and proposed lot lines measured in feet, accurate to the nearest hundredth of a foot.	•	•	•	•	•	•	✓	
20. An indication of any structures to be removed, demolished or relocated on the site and the proposed location of any structure to be relocated on the site.	•	•	•	•	•	•	✓	
21. The location of existing catch basins, bridges, culverts, storm drains, waterlines, sanitary sewer lines, wells, gas lines, telephone lines, utility easements, sewage disposal systems, bridle paths, drainage easements and conservation easements (specifying land benefited and burdened by each easement) within the site and, if a preliminary major subdivision or site plan, within 200' of the tract.	•	•	•	•	•	•	✓	
22. The location, names (if any) and dimensions of any existing or proposed public and private roads, road rights-of-way, and access easements on the property and, if a preliminary major subdivision or site plan, within 200' of the tract, specifying the ownership of each such road and the land to be benefited and burdened by each such access easement.	•	•	•	•	•	•	✓	
23. The location of all existing driveways, shoulders, curbing, walkways, fences, walls, parking spaces, loading areas, on the site and whether any of the foregoing are to be removed.	•	•	•	•	•	•	✓	
24. Natural features such as watercourses and rock formations on the site and within 200' thereof, except that if a minor site plan only within the proposed area of soil disturbance.	•	•	•	•	•	•	✓	

25. Soil boundary lines and types within the property as shown by the current Morris County Soil Survey Maps.	•	•	•	•	•	•	✓	
26. The delineation of flood hazard areas, including floodways and flood fringe areas, 100-year flood elevations, stream encroachment lines, riparian buffers, wetlands and wetland transition areas, as approved in a LOI issued by NJDEP.	•	•	•	•	•	•	N/A	
27. If a minor subdivision, contour lines at intervals of 10' within the site and within 200' thereof.	•						✓	
28. If a minor site plan, elevation contours and spot elevations within the area of soil disturbance.		•					✓	
29. If a major subdivision, contour lines at intervals of not more than 5' where the slope is 20% or greater, and at intervals of not more than 2' where the slope is less than 20%, within the site and within 100' thereof.			•				N/A	
30. If a site plan, contour lines at intervals of 2' where the slope is greater than 4% and at intervals of 1' where the slope is 4% or less, within the site and within 50' thereof.				•		•	✓	
31. If in the R-1 or RR Zone and slopes of 8% or greater are present on the property, the topographic information and other requirements contained in section 105-105.	•	•	•	•		•	N/A	
32. In the R-1 and RR zones, a landscape plan for revegetating disturbed areas after construction if land disturbance is proposed in connection with driveway or utility improvements in slope areas of 25% or greater.	•	•	•	•		•	N/A	
33. The location of wooded areas within the tract and within 200' thereof, and <u>isolated</u> trees 8" or more in diameter, measured 4.5' above ground level, designating species of each isolated tree shown within the tract, except that, if a minor site plan, only within the proposed area of soil disturbance. If a major subdivision, the location of all trees 8" or more in diameter, measured 4.5' above ground level, and other specimen trees or vegetation which may be affected by the construction of proposed roads or drainage improvements.	•	•	•	•		•	✓	
34. The location of the Tree Conservation Area along all perimeter lot lines of existing and proposed lots located in the RR, R-1, R-2, R-3 and R-4 Zones.	•	•	•	•	•	•	✓	
35. The location of any required or proposed buffers or landscaped areas.	•	•	•	•		•	✓	
36. A Landscape Plan including an indication of existing vegetated areas and tree preservation measures and details, and specifications for the types, quantity, size and location of all proposed vegetation specifying the scientific and common names of vegetation.	•		•	•		•	✓	
37. A detailed grading plan showing spot elevations along building lines, at building corners, low points and high points and along curblines.						•	✓	
38. Soil erosion and sediment control plan, if required by §105-103A.	•	•	•	•	•	•	✓	
39. If the property is to be served by one or more new individual sewage disposal systems, the location of all soil test pits, disposal area(s) required by the Board of Health, and a certification by the NJ licensed engineer who performed the tests as to accuracy of test results and whether a septic system can be designed as may be needed for each lot in compliance with local and state requirements.	•	•	•	•	•	•	✓	
40. Detailed plans and design of any proposed individual sewage disposal system.						•	✓	
41. Where applicable, plans, profiles and construction details for sanitary sewer lines, showing feasible connections to existing or proposed sanitary sewer system, and all other information required by the NJDEP and any other governmental entity for sewerage facilities.			•	•		•	✓	
42. Where applicable, plans for connections to water lines, gas, electric, cable and telephone, showing feasible connections to existing or proposed utility systems.			•	•		•	✓	

43. Plans, profiles and cross sections of proposed roads including typical pavement sections.			•				N/A	
44. If a site plan, plans, profiles and cross sections of proposed circulation drives, parking areas and spaces and loading areas, including typical pavement sections.				•		•	✓	
45. Plans for the control of surface drainage including profiles and cross sections of drainage lines and facilities showing feasible connections to existing or proposed drainage systems, drainage computations, and a topographic map showing drainage area boundaries and soil boundaries thereof and land use boundaries.			•	•		•	✓	
46. Plans, profiles, cross sections, structural drawings and design calculations for proposed stormwater detention facilities showing compliance with appropriate runoff requirements.			•	•		•	✓	
47. The elevation of all catch basins and manhole inverts and grates or rims.						•	✓	
48. If a site plan, preliminary architectural plans for all proposed buildings and structures (including a description of the combustible nature of construction materials) showing building dimensions, floor elevations, entrance locations, rooftop mechanical equipment and preliminary finished grade contours of all proposed buildings and structures and the proposed floor areas, floor area ratio, lot coverage, and the calculations of such floor areas, floor area ratio and lot coverage, where applicable.		•		•		•	✓	
49. Proposed features such as outdoor storage areas, outdoor mechanical equipment, solid waste and recycling areas, service areas, utility buildings and structures, and fences or walls, including all building or structure dimensions.	•	•	•	•		•	✓	
50. If a site plan, a detailed plan for proposed exterior lighting and lighting visible from the exterior.				•		•	✓	
51. Any sign(s) proposed to be installed on the property including details as to location, size, design, color, texture, illumination, installation and/or mounting details.		•		•		•	✓	
52. Provisions for fire prevention and protection. This requirement shall be applicable to <u>minor subdivisions</u> that include one or more proposed flag lots.	•		•	•		•	N/A	
53. <u>3 sets of Construction Plans</u> for <u>major subdivisions</u> including all improvements and plan details approved as part of the preliminary subdivision plans and including the following: a. Locations and elevations of at least 2 elevation benchmarks within the property. b. Final plans, profiles and construction details for any water lines and/or sanitary sewer and all other information required by NJDEP for any sewerage facilities. c. Final plans, profiles and construction details for the drainage system and structural details for all detention facilities. d. Final plans, profiles and cross sections of proposed road and all other proposed or required improvements, in accordance with Township Ordinances, showing proposed and existing grade lines, quantities of earthwork and typical section of roadway pavement. e. Final landscape plans.						•	N/A	
54. Bearing or deflection angles and radii, arcs and central angles of all curves in roads, driveways and property lines.						•	•	✓
55. If a subdivision, the location and description of existing and proposed monuments and distances between them.						•		N/A
56. If a subdivision, a final plat drawn to the requirements of the Map Filing Law with spaces for appropriate signatures by the owner, land surveyor and required township officials.						•		N/A
57. Detailed plans, including location and elevation of all utilities.						•	✓	
58. A statement as to any existing protective covenants, deed restrictions, easements and rights-of-way affecting the use of the property.	•	•	•	•	•	•	•	✓

59. The size, shape, location and purpose of any required conservation easement (including the proposed location and design of required boundary markers) and of any other proposed easement or area to be used for bridle paths, common recreation facilities, conservation or to be dedicated to public use, and the nature of any use other than residential.	•	•	•	•	•	•	N/A	
60. A statement on the plat or plan providing for the sharing of the responsibility of lot owners or users for perpetual maintenance of any shared privately owned roads, driveways, parking and/or loading areas, recreation facilities, open space, sewage disposal facilities, water lines, and stormwater facilities.	•	•	•	•	•	•	N/A	
61. If a <u>planned development</u> : a. Gross site area, net residential site area (total and per lot), floor area ratio of gross and net residential site areas and residential density. b. Common open space for active recreation and maximum diameter of circle inscribed in open space area. c. Net habitable floor area, total floor area, number of bedrooms and bedroom sizes for each dwelling unit. d. Length of each building or other straight façade. e. The shortest building setback from the property line where a single-family dwelling exists on the adjoining lot. f. The setback of the structure from a nearby stream, if necessary to show compliance with a minimum of 50'. g. The window area and floor area of each living and sleeping room.				•		•	N/A	

NOTE: The Board may require the submission of a traffic engineering study prepared by a qualified traffic engineer for major subdivisions and site plans.

Prepared by:
Susan C. Kimball, PP

Adopted: 9/4/02 (Ord. 11-02)
Amended: 3/19/03 (Ord. 5-03)
Amended: 6/4/03 (Ord. 12-03)
Amended: 11/3/04 (Ord. 22-04)
Amended: 4/16/08 (Ord. 5-08)
Amended: 10/21/09 (Ord. 12-09)
Amended: 12/16/09 (Ord. 14-09)
Amended: 3/29/11 (Ord. 4-11)

Checklist A Rev 4-1-11



Harding Township
Zoning Department
21 Blue Mill Rd
PO Box 666
New Vernon, NJ 07976
(973) 267-8000 x 715 Fax(973) 267-6221
gbyrnes@hardingnj.org

Application Date: 1/8/2024
Application Number: ZA-24-00003
Permit Number: _____
Project Number: _____

Fee: \$464

Denial of Application

Date: 1/10/2024

To: 15 VILLAGE ROAD LLC
1625 STATE ROUTE 10
MORRIS PLAINS, NJ 07950

RE: Proposed Residential Units
15 VILLAGE RD
Block: 18 Lot: 5 Qual: Zone: B-1

Dear 15 VILLAGE ROAD LLC,
Your request is hereby denied based upon the following requirements:

Harding Township Ordinance 225-129 does not allow for multiple dwelling units on one property.

The proposed building area for the entire lot is 4,691sf. Harding Township Ordinance 225-130C. limits the maximum building area for lots in the R-3 zone to 2,500 sf.

There are multiple (7 total) rear yard setbacks between 13.5' and 20' from the lot lines. Harding Township Ordinance 225-130H. requires all structures be setback at least 25' from the rear lot line.

There are multiple (4 total) rear yard setbacks between 10' and 13.6' from the lot lines. Harding Township Ordinance 225-143F. requires all structures be setback at least 15' from the rear lot line.

A proposed patio and a deck are closer to Millbrook Road than the dwellings they are associated with. Harding Township Ordinance 225-116D(1) requires all accessory structures to be located behind the front facade of the principal building.

The following comments were made during the denial process:

Filed Plans:

Variance Plans prepared by Yannaccone, Villa, & Aldrich dated 11/9/23.

Architectural Plans prepared by Byrne Design Associates dated 10/16/23.

Please be advised that you may present an application to the Land Use Board in order to secure relief (variance) from the provision(s) described above. You also have the right to appeal this decision to the Board of Adjustment or to resubmit an amended application to the Zoning Department. To proceed with an appeal, you must present this notice along with the completed form of application to the Board of Adjustment's secretary no later than 20 days from the date hereof. Please be advised that this denial is not the ultimate determination of variances that might be needed for this project.

To find further information on the Board of Adjustment for a variance, please visit <https://www.hardingnj.org/boards/zone>. You can also call Lori Taglairino at 973-267-8000 x 723.

Sincerely,


George Byrnes, Zoning Officer



TOWNSHIP OF HARDING
Morris County, New Jersey

Blue Mill Road, Box 666
New Vernon, New Jersey 07976
973-267-8000

HARDING TOWNSHIP DEPARTMENT OF HEALTH

To: Lori Taglairino, Board of Adjustment Secretary
From: George Byrnes, REHS
Subject: Application for Variance Review: Construction of 3 Residential Structures
15 Village Road
Block: 18 Lot: 5
Date: December 27, 2023

The Health Department has received a variance application for the **construction of three new residential structures (4 units)** at the above referenced property.

The application includes a variance plan prepared by Yannaccone, Villa, & Aldrich dated 7/11/23, showing the approximate location of a new septic system. Architectural plans were not submitted for any of the existing or proposed structures to determine if the supplied gallon per day calculations are correct.

Based on the provided information, and on information in the Health Department files, the Health Department does not object to granting a variance for the proposed residential units with a new septic system serving the entire site and a new well, ***if the submitted gallon per day calculations are accurate. The submitted calculations are very close to the maximum allowed gallonage for a single site (2000gpd) and if there is any increase, Harding Township would not be able to grant approval for the septic system, but it would need to be approved by the NJDEP.*** If and when a variance is granted, application and plans for the new septic system must be submitted to the Health Department prior to any commencement of work.

*Should a variance be granted by the Board of Adjustment, the applicant shall submit to the Health Department, an application for prior approval from the Health Department, **before** an application be made for a building permit.*

GB

**APPLICANT: Day Pitney LLP
One Jefferson Road
Parsippany, NJ 07054**

DATE: November 1, 2023

BLOCK/LOT: Block 18, Lot 5

**HARDING TOWNSHIP
MORRIS COUNTY, NEW JERSEY**

PLANNING BOARD * BOARD OF ADJUSTMENT**

200 FOOT PROPERTY OWNER LIST

The following is a summary of the Notice requirements for applicants. See section 105-20 of the Harding Township Code for the complete text of Notice requirements. All Notice must be given by personal service or certified mail at least ten (10) days prior to the date of the hearing. An Affidavit of Proof of Service shall be filed with the Board holding the hearing.

1. List of all property owners within 200 feet in all directions (whether located within Harding or adjacent municipalities) of Block 18, Lot 5 Tax Map Township of Harding as shown on the current tax duplicate. See section 105-20A (2) of the Harding Code regarding Notice requirements for condominiums, partnerships and corporations.
2. Applicants are advised that if the property is within 200 feet of the municipal boundary, the applicant must obtain the names and addresses of property owners located within the adjoining municipality from the **Tax Assessor** of the adjoining town.
3. If the property is within 200 feet of the municipal boundary, or is adjacent to an existing county road or proposed road shown on the Official County Map or on the County Master Plan or adjoins other county land, the "Notice to Property Owners" must be served on the **County Planning Board**.
4. If the property is situated within 200 feet of a municipal boundary, the "Notice to Property Owners" must be served on the **Clerk** of such municipality.
5. If the property is adjacent to a State highway, the "Notice to Property Owners" must be served on the **Commissioner of Transportation**.
6. If the property exceeds 150 acres or 500 dwelling units, the "Notice to Property Owners" must be served on the **Director of the State Planning Commission**. Such notice shall include a copy of any maps or documents required to be on file.

7. Notice shall be given, in the case of a public utility, cable television company or local utility which possesses a right-of-way of easement within the township, and which has registered with the Township Tax Assessor, by serving a copy of the "Notice to Property Owners" on the person whose name appears on the registration form on behalf of the company or utility.

NJ American Water Company / Northern Division
Mr. D L Conyers, Division Manager
167 JFK Parkway
Short Hills, NJ 07078

The Southeast Morris Cty Municipal Util Authority
Harry G. Gerken, Executive Director
19 Saddle Road
Cedar Knolls, NJ 07927

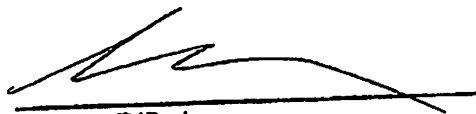
Texas Eastern Transmission Corp
Manage, Property Tax
PO Box 1642
Houston, TX 77251-1642

Public Service Electric and Gas Co
Manager, Corporate Properties
80 Park Plaza, T6B
Newark, NJ 07102

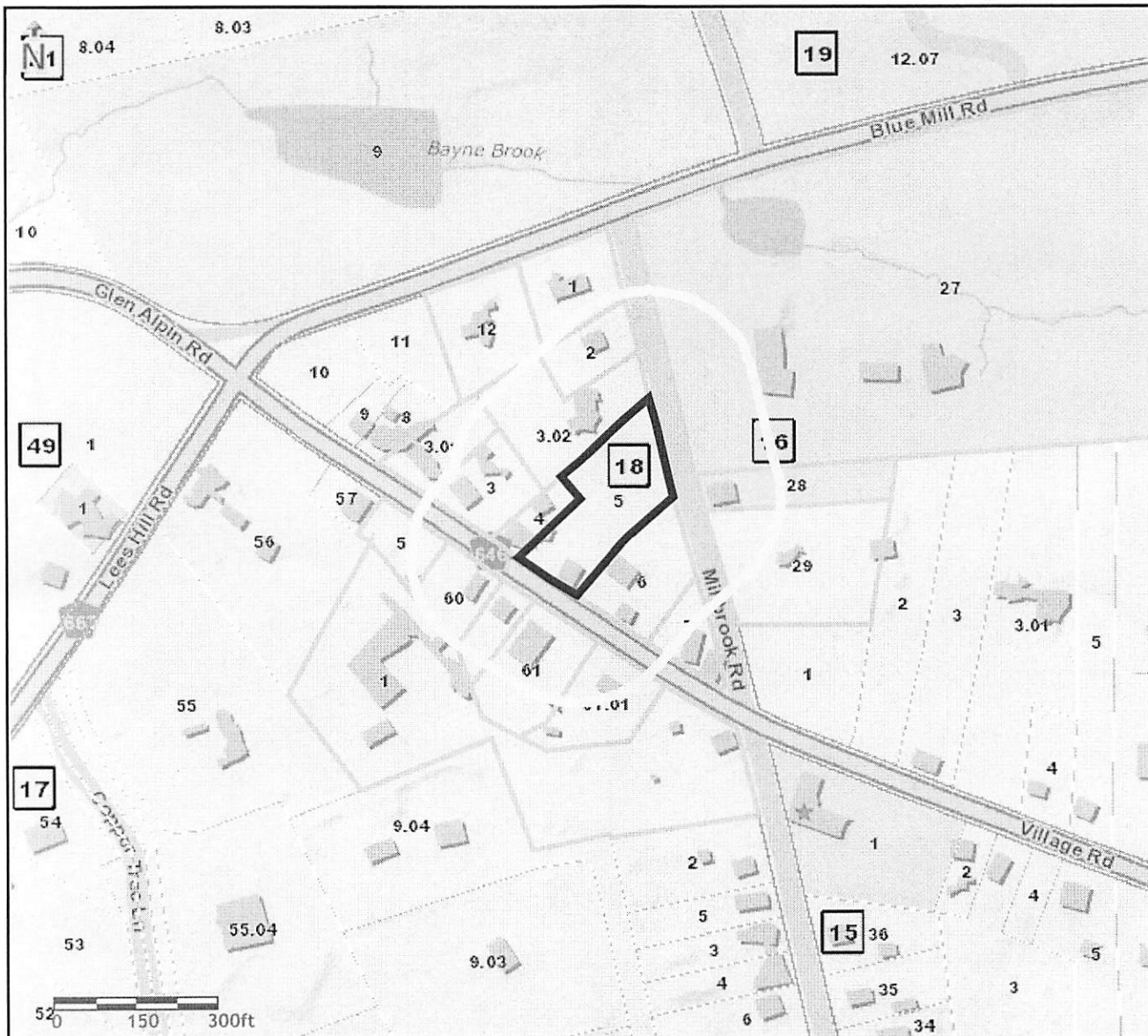
COMCAST Corporation
100 Randolph Road
Somerset, NJ 08873

Morris County Planning Board
Court House, CN900
Morristown, NJ 07960-0900

Certified by:



Anthony DiRado
Tax Assessor
Harding Township



Morris County Board of Taxation
 COUNTY OF MORRIS, NEW JERSEY
 P.O. Box 900, Morristown NJ, 07963-0900
 *Maximum of 500 records available on report

Projection: State Plane (FIPS 2900)
 Datum: NAD83
 Units: Feet



Morris County GIS Services, NJ, USA - © 2011-2016

The maps and data available for access at this website is provided "as-is" without warranty or any representation of accuracy, timeliness, or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for, or the appropriateness for use, rests solely on the user accessing this information. The County of Morris makes no warranties, express or implied, as to the use of the maps and the data available for access at this website. There are no implied warranties of merchantability or fitness for a particular purpose. The user acknowledges and accepts all inherent limitations of the maps and data, including the fact that the maps and data are dynamic and in a constant state of maintenance, correction, and revision. The maps and associated data at this website do not represent a survey. In no event shall the County of Morris or its officers or employees assume any liability for the accuracy of the data delineated on any map. In no event shall the County of Morris or its officers or employees be liable for any damages arising in any way out of the use of this information.

TARGETED PROPERTIES:

PAMS_PIN	Acres	Property Location	Owners Name	Mailing Address
1413_18_5	1.2000	15 VILLAGE RD	15 VILLAGE ROAD LLC	1625 STATE ROUTE 10 MORRIS PLAINS, NJ 07950

PARCELS WITHIN RANGE OF TARGETED PROPERTIES:				
PAMS_PIN	Acres	Property Location	Owners Name	Mailing Address
1413_16_27	15.7100	16 BLUE MILL RD	CHURCH OF CHRIST THE KING	BLUE MILL RD BOX 368 NEW VERNON, NJ 07976
1413_16_28	0.5857	9 MILLBROOK RD	CHURCH OF CHRIST THE KING	BLUE MILL RD BOX 368 NEW VERNON, NJ 07976
1413_16_29	1.5000	11 MILLBROOK RD	WILD, BRUCE E	11 MILLBROOK RD NEW VERNON, NJ 07976
1413_17_1	4.3100	8 MILLBROOK RD	HARDING, TOWNSHIP OF	PO BOX 666 NEW VERNON, NJ 07976
1413_17_58	0.3000	6 VILLAGE RD	BAROOSHIAN, HELEN	PO BOX 197 NEW VERNON, NJ 07976
1413_17_60	0.2700	8 VILLAGE RD	RUEGG, THOMAS	P O BOX 957 NEW VERNON, NJ 079760957
1413_17_61	0.7400	12 VILLAGE RD	HARDING OWL LLC	22 GREEN KNOLLS RD MORRISTOWN, NJ 07960 07976
1413_17_61.01	0.6400	14 VILLAGE RD	GAVRYLAK, OREST/SHKODINA, DIANA	14 VILLAGE RD NEW VERNON, NJ 07976
1413_17_61.02	0.2975	10 VILLAGE RD	PAGE, DENNIS S	10 VILLAGE RD BOX 306 NEW VERNON, NJ 07976
1413_18_1	0.6301	12 BLUE MILL RD	LOVETT, DANA	12 BLUE MILL RD NEW VERNON, NJ 07976
1413_18_12	0.8116	10 BLUE MILL RD	DUGAN, JOHN L & BARBARA D	BLUE MILL RD, PO BOX 851 NEW VERNON, NJ 07976
1413_18_2	0.4231	2 MILLBROOK RD	WECKENMAN, JOAN	PO BOX 564, 2 MILLBROOK RD NEW VERNON, NJ 07976
1413_18_3	0.5383	9 VILLAGE RD	WENTZ, BRENT/LESLIE	PO BOX 154 NEW VERNON, NJ 07976
1413_18_3.01	0.4309	7 VILLAGE RD	O CONNOR, MICHAEL	PO BOX 100 NEW VERNON, NJ 07976
1413_18_3.02	0.9700	4 MILLBROOK RD	PISCOPO, GERALD/CHERYL	312 SKYLINE LAKES DR RINGWOOD, NJ 07456
1413_18_4	0.2210	11 VILLAGE RD	TUSINAC, MICHAEL/THOMAS	11 VILLAGE RD NEW VERNON, NJ 07976
1413_18_5	1.2000	15 VILLAGE RD	15 VILLAGE ROAD LLC	1625 STATE ROUTE 10 MORRIS PLAINS, NJ 07950
1413_18_6	0.8000	17 VILLAGE RD	GREAT BROOK PROPERTIES LLC	17 VILLAGE RD NEW VERNON, NJ 07976
1413_18_7	0.3098	19 VILLAGE RD	MONDELLO, ISABEL C	131 LAKE RD MORRISTOWN, NJ 07960

NICOLE M. MAGDZIAK
Attorney at Law

One Jefferson Road
Parsippany, NJ 07054-2891
T: (973) 966-8027 F: (973) 461-4608
nmagdzyak@daypitney.com

October 27, 2023

VIA REGULAR MAIL

Anthony DiRado, Tax Assessor
Township of Harding
P.O. Box 666
21 Blue Mill Road
New Vernon, NJ 07976

**Re: Request for 200' Property Owners List
Block 18, Lot 5
15 Village Road, Harding Twp.**

Dear Mr. DiRado:

Please be advised that this office represents the applicant in connection with property located in Harding Township. Please provide me with a certified list of property owners owning property located within 200 feet of the above property. Please also include the list of any utility companies that have registered to receive notice of land use hearings.

I have enclosed your request form and a firm check in the amount of \$10.00 in payment of the applicable processing fee. A return envelope is also provided. Please be so kind as to email me the list at nmagdzyak@daypitney.com if possible.

Thank you for your help in this matter. If you have any questions, please feel free to contact me.

Very truly yours,



Nicole M. Magdziak

NMM:jl
Enclosures



BOSTON CONNECTICUT NEW JERSEY NEW YORK WASHINGTON, DC

NICOLE M. MAGDZIAK
Attorney at Law

One Jefferson Road
Parsippany, NJ 07054-2891
T: (973) 966-8027 F: (973) 461-4608
nmagdziak@daypitney.com

October 27, 2023

VIA REGULAR MAIL

Rachel Leber, Tax Collector
Township of Harding
21 Blue Mill Road
P.O. Box 666
New Vernon, NJ 07976

**Re: Request for Tax Certification
Block 18, Lot 5
15 Village Road, Harding Township, NJ**

Dear Ms. Leber:

Please be advised that this office represents the applicant in connection with an application to be filed with Harding Township. Enclosed please find a completed certification of tax status form and a firm check in the amount of \$10.00 in payment of the processing fee. Please provide me with a certification confirming that all property taxes are current on this property. I have enclosed a return envelope provided for your convenience. If possible, please e-mail the certification to nmagdziak@daypitney.com.

Thank you for your help in this matter. If you have any questions, please feel free to contact me.

Very truly yours,

A handwritten signature in cursive script that reads 'Nicole Magdziak'.

Nicole M. Magdziak

NMM:jl
Enclosure



**TOWNSHIP OF HARDING
TAX CERTIFICATION**

21 Blue Mill Road, P.O. Box 666
New Vernon, New Jersey 07976
(973) 267-8000 Ext. 728

FEE: \$10.00

TO BE COMPLETED BY APPLICANT:

Block(s) 18 Lot(s) 5 Qual.: _____

Owner of property: _____

Street address: 15 Village Road

Owner Telephone: 973-966-8027 Owner email: nmagdziak@daypitney.com

Applicant if other than owner: _____

Applicant address: _____

Applicant Telephone: _____ Applicant email: _____

TO BE COMPLETED BY TAX COLLECTOR:

Taxes on the property described above have been paid in full through Dec 31, 2023

Taxes on property described above are as of this date due or delinquent in the amount of 0

Assessments for local improvements on the property described above are as of this date due or
delinquent in the amount of 0

*Verify that this information accurately reflects
municipal tax records.*

**Tax Collector
Harding Township
Morris County**



CERTIFIED BY:



Tax Collector

11/7/23

Date of Certification



Morris County Land Development Review Application

Morris County Office of Planning &
Preservation

Submitted On:

Jan 30, 2024, 01:11PM EST

SUBMISSION REQUIREMENTS

Subdivision

- All subdivisions must be submitted to the County Planning Board for review.
- Major Subdivisions – will be reviewed for County approval
- Minor Subdivisions – will be reviewed to determine:
 - If the project fronts along a County road; and/or
 - If the project will affect any County drainage facilities.

For those minor subdivisions which meet either one or both of the above criteria, the project will be reviewed for approval. If a minor subdivision does not meet either criteria, an exemption letter will be sent.

Site Plans

Site Plans will be reviewed to determine:

- If the project fronts along a County road; and/or
- If the project contains an amount of impervious surface equal to or greater than one acre (43,560 sq. ft.)

For those site plans which meet either one or both of the above criteria, the project will be reviewed for approval.

If the site plan does not meet either criteria, an exemption letter is sent.

PROCEDURES:

New applications must be submitted to the County Planning Board by the municipal approving authority or by the applicant and accompanied by the transmittal letter stating that the application has also been made to the municipal approving authority.

Development applications revised in response to County Planning Board requirements may be submitted directly to the County Planning Board by the applicant.

Digital copy of final plat and fully signed paper copy of final plat are required prior to filing of final plat at the Morris County Clerk's Office.

REVISIONS:

Subdivision plats and site plans which are revised to comply with the County Planning Board requirements, or would alter a previous County Planning Board approval, must be resubmitted to the County Planning Board for review and approval.

REPORTS:

The County Planning Board has a statutory review period of thirty (30) days from the date of a complete submission. **A complete submission includes payment, a digital copy AND two (2) hard copies of the entire application.**

Upon completion of the County Planning Board review, a report will be mailed to the municipal approving authority with copies mailed to the applicant and his/her engineer. For those site plans and minor subdivisions found to be exempt, a notice of exemption will be mailed to the municipal approving authority.

PAYMENT:

After you submit your application online, we will review it, and then send you an electronic invoice.

You can pay via ACH, Credit Card (AMEX is not accepted), or Check.

If paying via ACH or Credit Card, our processing fees are:

- **Credit Card:** 2.75%
- **ACH:**
 - \$1.75 up to \$50,000
 - \$3.00 up to \$75,000
 - \$6.00 up to \$100,000
 - \$10.00 up to \$150,000
 - \$15.00 up to \$250,000

No fee is required for resubmissions.

MAILED SUBMISSION PACKAGE:

Hard copies of this application and supplementary materials are required.

Follow these instructions for mailing:

1. Two (2) completed copies of the County application form. **When you submit this form electronically, you will receive a PDF copy in your email. Print two copies and send along with the rest of your application.**
2. Two (2) copies of the subdivision or site plan drawings.
3. Two (2) copies of the drainage study (if required by the County Land Development Standards or municipal ordinance).
4. Two (2) copies of the traffic impact study (if required by the County Land Development Standards or municipal ordinance).
5. Two (2) copies of any other supporting materials (if required by the Morris County Land Development Standards or Municipal Ordinance).

Application package should be submitted via mail to:

Morris County Planning Board
P.O. Box 900
Morristown, NJ 07963-0900

Or via personal delivery or overnight (i.e., Fedex, USP, etc.) to:

Morris County Planning Board
30 Schuyler Place, 4th Floor
Morristown, New Jersey 07960

Questions, please call: (973) 829-8120 or email: mcdevreview@co.morris.nj.us

For more information, visit morriscountynj.gov/LandDevReview.

I. Submission Requirements

Is this a new or revised submission?	New
Which municipal board are you submitting this application to?	Board of Adjustment

II. Project Information

Project Name	The Cottages at Village Center
Municipality	Harding Township
Block(s) and Lot(s)	Block 18, Lot 5
Does this project include a second municipality?	No
Road Frontage Name	Village Road and Millbrook Road
Applicant's Name	15 Village Road, LLC
Applicant Phone Number	973-490-8206
Applicant Fax Number	
Applicant Street Address	1625 Route 10 E
Applicant Municipality	Morris Plains
Applicant State	NJ
Applicant Zip Code	07950
Applicant Email Address	nmagdziak@daypitney.com

III. Site Data

What is being proposed?	The Applicant is proposing to construct four residential dwelling units to be contained in a total of three new buildings – one of those buildings will contain two units. The Applicant is also proposing to construct, driveways, walkways, patios and to install landscaping and other related site improvements to support the proposed
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	development. The existing office building is to remain.
Zone District(s) in which property is located:	R-3/B-1
Present Use(s) - if mixed-use, complete both Residential and Non-Residential	Residential Non-Residential
Residential: Type of Property	Townhome
Residential Types (pick all that apply)	Rental
Non-Residential	Commercial: Office
Proposed Use(s) - if mixed-use, complete both Residential and Non-Residential	Residential Non-Residential
Proposed Residential: Type of Property	Townhome
Proposed Residential Types (pick all that apply)	Rental
Proposed Non-Residential	Commercial: Office
Proposed Water Source	Public
Sewage Disposal	Private
Is this application for a subdivision or site plan? (Select all that apply)	Site Plan


Site Plan	
How many acres are in the project area?	1.255
Is this a residential, non-residential, or mixed-use property?	Mixed-use
Number of Dwelling Units	4
NEW Floor Area (square feet)	0
TOTAL Floor Area (square feet)	2,100
NEW Parking Spaces	2
TOTAL Parking Spaces	7
NEW Impervious Surface (square feet)	8,462
TOTAL Impervious Surface (square feet)	15,293

Upload Attachments

Subdivision/Site Plan Drawings	Preliminary and Final Site Plans prepared by YVA(117913810.1).pdf
Aerial Site Map with Site outlined	Aerial Map of 15 Village Rd.pdf
Any other supporting materials (if required by the Morris County Land Development Standards or Municipal Ordinance)	15 Village Rd_ LLC_ Limited EIS_ 01-04-24.pdf

IV. Review Fees and Submit Application

Site Plan	Site Plan - \$500.00 Base Fee
Non-Residential: Number of new parking spaces (\$5.00 / new parking space)	
Residential: Number of dwelling units (\$25.00 / dwelling unit)	4
TOTAL	\$600.00
What payment method will you use to pay your application fee?	Check
Application completed by:	Attorney

Signature Data	First Name: Nicole Last Name: Magdziak Email Address: nmagdziak@daypitney.com  Signed at: January 30, 2024 1:11pm America/New_York
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Receipt	LDR2024-0003
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